THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.17806 OF 2006

25th August, 2006.

Between:

Sk. Mahammad Basha. .. Petitioner.

And

1. The Secretary, Regional Transport Authority,
   Prakasam District at Ongole.,
   And another. ..

Respondents.

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.17806 OF 2006

ORAL ORDER:

This writ petition filed seeking a declaration that the action of the respondents in seizing the petitioner's vehicle bearing registration No.AP-27-T-8799 vide vehicle check report No.1261651, dated 24.8.2006, is arbitrary and illegal.

The check report dated 24.8.2006, shows that the vehicle was seized on the allegation that the vehicle was plying as express stage carriage between Santhosh Nagar (Hyderabad) to Ongole covering more than three districts by collecting higher fares from the individuals in violation of the provisions of the Motor Vehicles Act, 1988.

Having regard to the nature of the controversy involved and having heard learned Government Pleader appearing for Transport and keeping in view that the allegations are required to be enquired into by the competent authority, I deem it appropriate to direct the respondents to release the vehicle in question, subject to the condition that the petitioner deposits a sum of Rs.10,000/- (rupees ten thousand only), and also furnishing an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till final orders are passed. It is made clear that the amount deposited in pursuance of the orders of this Court shall be subject to the out come of the enquiry.

Accordingly, the Writ Petition is disposed of leaving it open to respondents to proceed with the enquiry in accordance with law. No costs.

(G. ROHINI, J.)

25th August, 2006.
gbs
Operative portion by wire at party's costs.